

# CRS Report for Congress

## Operation Iraqi Freedom and the Global War on Terror: Selected Legislation from the 110<sup>th</sup> Congress

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# Operation Iraqi Freedom and the Global War on Terror: Selected Legislation from the 110<sup>th</sup> Congress

## Summary

Both the Iraq War and the Global War on Terror have been the subjects of considerable legislative activity since the opening days of the 110<sup>th</sup> Congress. After the Iraq Study Group released its recommendations on December 6, 2006, President Bush followed on January 10, 2007, with an announcement of a new strategy for the Iraq War. The President's plan proposed a surge of 28,500 U.S. troops to help improve security in Baghdad and counter Al Qaeda operatives in Anbar Province. After the President's announcement, a number of bills were introduced in the House and Senate that reflected congressional opposition to the "surge" of U.S. forces and that offered alternative plans for changing the U.S. forces' mission in Iraq.

This report consists of a series of tables that summarize the legislation concerning Operation Iraqi Freedom (OIF) considered to date during the 110<sup>th</sup> Congress, as well as a select group of amendments to H.R. 1585, the National Defense Authorization Act for Fiscal Year 2008 (currently awaiting Senate action), that relate to either OIF or the Global War on Terror (GWOT).

The tables categorize the bills and amendments into the following groups based on their principal goal: Changing U.S. Forces' Mission; Reducing the Number of U.S. Forces in Iraq; Restricting the Use of Funds; Conditioning U.S. Action on Iraqi Government Benchmarks; Adjusting Legislative Authorization for the Mission; Other Legislation Concerning Iraq War Policy; and Rules for the Treatment of Detainees.

CRS has included the bill number, date introduced, sponsor, short title, key provisions, and vote or status for each piece of legislation covered. Key provisions highlight factors that could have an impact on the policy of or the course of events in the Iraq War or the GWOT.

This report will be updated on a regular basis. For further information on Iraq War policy and options, see also CRS Report RL31339, *Iraq: Post-Saddam Governance and Security*, by Kenneth Katzman; and CRS Report RL33793, *Iraq: Regional Perspectives and U.S. Policy*, coordinated by Christopher Blanchard. For further information on the National Defense Authorization Act 2008, see also CRS Report RL33999, *Defense: FY2008 Authorization and Appropriations*, by Pat Towell, Stephen Daggett, and Amy Belasco.

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## Introduction

Both the Iraq War and the Global War on Terror have been the subjects of considerable legislative activity since the opening days of the 110<sup>th</sup> Congress. After the Iraq Study Group released its recommendations on December 6, 2006, President Bush followed on January 10, 2007, with an announcement of a new strategy for the Iraq War. The President's plan proposed a surge of 28,500 U.S. troops to help improve security in Baghdad and in Anbar Province. After the President's announcement, a number of bills were introduced in the House and Senate that reflected congressional opposition to the "surge" of U.S. forces and to an open-ended commitment of high level of U.S. forces in Iraq, and that offered alternative plans for changing the U.S. forces' mission in Iraq.

This report consists of a series of tables that summarize the legislation concerning Operation Iraqi Freedom (OIF) considered to date during the 110<sup>th</sup> Congress, as well as a select group of amendments to H.R. 1585, the National Defense Authorization Act for Fiscal Year 2008, that relate to either OIF or the Global War on Terror (GWOT).

The tables categorize the bills and amendments into the following groups based on their principal goal: Changing U.S. Forces' Mission; Reducing the Number of U.S. Forces in Iraq; Restricting the Use of Funds; Conditioning U.S. Action on Iraqi Government Benchmarks; Adjusting Legislative Authorization for the Mission; Other Legislation Concerning Iraq War Policy; and Rules for the Treatment of Detainees.

CRS has included the bill number, date introduced, sponsor, short title, key provisions, and vote or status for each piece of legislation covered. Key provisions highlight factors that could have an impact on the policy of or the course of events in the Iraq War or the GWOT.

One bill, H.R. 1591, the first version of the FY2007 supplemental appropriations bill (which President Bush vetoed), is listed in two of the tables (**Tables 2 and 3**) because it includes some provisions that fall in each of two categories. Some provisions of the bill set readiness standards for U.S. forces deployed to Iraq, while other provisions condition U.S. assistance on the Iraqi government's achievement of certain benchmarks of security and political reconciliation.

## Changes in the Mission of U.S. Forces in Iraq

Legislation included in this section covers those bills and amendments that address the overall strategy for the war in Iraq or that call for changes in that strategy. Several bills were introduced early in the 110<sup>th</sup> Congress that proposed comprehensive changes to the U.S. mission in Iraq, such as S. 433, S. 679, H.R. 1581, and S. 1545.<sup>1</sup> Most of this legislation, however, remained in committee and never reached the floor for vote.

As is evident below (**Table 1**), the earliest legislation voted on was in direct reaction to President Bush's new strategy, revealed on January 10, 2007, which called for an increase in the number of U.S. combat troops in Iraq. Most of this legislation reflected ideas presented in the Iraq Study Group's findings, which entailed a comprehensive U.S. diplomatic, political, and economic strategy for dealing with the situation in Iraq.

**Table 1. Legislation Concerning Iraq Mission Changes**

Bill, Date Introduced, and Sponsor	Short Title	Key Provisions	Status/Vote
<b>S.Con.Res.2</b> Introduced: 01/17/07 Sen. Joseph R. Biden, Jr.	A concurrent resolution expressing the bipartisan resolution on Iraq	<p>Sense of Congress that:</p> <p>It is not in U.S. national interest to increase U.S. military presence in Iraq</p> <p>Greater regional and international support would help Iraqis find a political solution</p> <p>U.S. forces' mission should transition to border security, counter-terrorism activities, reduction of regional interference, and accelerated training of Iraqi forces</p> <p>U.S. should shift responsibility for internal security and halting sectarian violence to Iraqi forces</p> <p>U.S. should engage Middle Eastern nations to develop peace process</p>	Motion to invoke cloture rejected: 0-97 02/01/07

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<sup>1</sup> The full text of these bills is available online via the Legislative Information System (LIS) at [<http://www.congress.gov/>].

Bill, Date Introduced, and Sponsor	Short Title	Key Provisions	Status/Vote
<b>H.Con.Res. 63</b> Introduced 02/12/07 Rep. Ike Skelton	Disapproving of the Decision of the President announced on January 10, 2007, to deploy more than 20,000 additional U.S. combat troops to Iraq	Resolved that:  Congress and the American people continue to support the troops  Congress disapproves of President Bush's "surge" strategy	Passed House: 246-182 02/16/07
<b>S. 470</b> Introduced: 01/31/07 Sen. Carl Levin	A bill to express the sense of Congress on Iraq	Sense of Congress that:  The Senate disagrees with President Bush's plan to increase troop levels in Iraq  The Senate believes U.S. should continue combating insurgency in Anbar province  The Senate believes a failed state in Iraq would threaten long-term U.S. security interests  Congress should not reduce or eliminate funding for U.S. forces in the field, as that would undermine their safety  U.S. military, diplomatic, and economic strategy should not be open-ended but conditioned on benchmarks being met by Iraqi government  Iraqi military should assume role of combating sectarian violence	Motion to invoke cloture rejected: 49-47 02/05/07
<b>S. 574</b> Introduced: 02/13/07 Sen. Harry Reid	A bill to express the sense of Congress on Iraq	Sense of Congress that:  Congress and the American people continue to support the troops  Congress disapproves of President Bush's decision to deploy more U.S. combat troops to Iraq	Motion to invoke cloture rejected: 56-34 02/17/07

Bill, Date Introduced, and Sponsor	Short Title	Key Provisions	Status/Vote
<b>S.J.Res.9</b> Introduced: 03/08/07 Sen. Harry Reid	U.S. Policy in Iraq Resolution of 2007	<p>President shall commence redeployment of U.S. troops from Iraq not later than 120 days after enactment with the goal of redeploying all U.S. combat forces from Iraq by March 31, 2008</p> <p>Exception for essential troops to protect U.S. personnel and infrastructure, train and equip Iraqi forces, and conduct targeted counter-terrorism operations</p> <p>Calls for comprehensive diplomatic, political, and economic strategy that includes sustained engagement with Iraq's neighbors and international community</p> <p>Not later than 60 days after enactment, President shall submit report to Congress on progress made on transitioning mission and implementing redeployment; report shall be updated quarterly</p>	Senate Rejected: 48-50 03/15/07
<b>H.Amdt. 353, H.R. 2764</b> Introduced: 06/21/07 Rep. Christopher Shays	Department of State, Foreign Operations, and Related Programs Appropriations Act, 2008	Provide \$1 million to the U.S. Institute of Peace to reestablish the Iraq Study Group	Agreed to in House: 355-69 06-21-07
<b>S.Amdt.2063, H.R. 1585</b> Introduced: 07/10/07 Sen. Ken Salazar	National Defense Authorization Act for Fiscal Year 2008	<p>Sense of Congress that:</p> <p>U.S. should implement recommendations of Iraq Study Group regarding diplomatic efforts to stabilize Iraq; policies to improve Iraq's security and military forces, police and criminal justice systems, and oil sector; and efforts to strengthen U.S. military and budget process</p> <p>It shall be U.S. policy that continued political, military, and economic support for Iraq be conditional on the Iraqi government making substantial progress toward the following milestones:</p> <ul style="list-style-type: none"> <li>— Establishing fair process for considering amendments to Iraq's constitution that promote national reconciliation</li> <li>— Enacting legislation or</li> </ul>	None to date



Bill, Date Introduced, and Sponsor	Short Title	Key Provisions	Status/Vote
		<p>mechanism to revise de-Baathification laws</p> <ul style="list-style-type: none"> <li>— Enacting legislation or binding mechanisms to ensure sharing of Iraqi oil revenues among all segments of Iraqi society</li> <li>— Holding free and fair provincial elections</li> <li>— Enacting legislation or other mechanism to ensure rights of women and minority communities</li> </ul> <p>Sense of Congress that:</p> <p>All U.S. combat brigades not necessary for force protection could be redeployed from Iraq by the first quarter of 2008 except those essential for protecting U.S. personnel and infrastructure; training, equipping, and advising Iraqi forces; conducting targeted counterterrorism operations; search and rescue; and rapid reaction and special operations</p> <p>Report on actions taken to implement policies due from President no later than 90 days after enactment and every 90 days thereafter</p>	
<p><b>S.Amdt.2100, H.R. 1585</b> Introduced: 07/11/07 Sen. John Cornyn</p>	<p>National Defense Authorization Act for Fiscal Year 2008</p>	<p>Sense of the Senate that:</p> <p>Senate should commit to a strategy that will not leave a failed state in Iraq</p> <p>Senate should not pass legislation that will undermine the military's ability to prevent a failed state in Iraq</p>	<p>Senate passed: 94-3 07/17/07</p>
<p><b>S.Amdt.2145, H.R. 1585</b> Introduced: 07/12/07 Sen. E. Benjamin Nelson</p>	<p>National Defense Authorization Act for Fiscal Year 2008</p>	<p>Commencing on date of enactment, President shall immediately begin transition of U.S. mission in Iraq</p> <p>U.S. forces in Iraq shall be limited to: protecting U.S. personnel and infrastructure in Iraq, continuing training and equipping of Iraqi security forces, securing Iraq's borders, and conducting counterterrorism operations against Al Qaeda and other terrorist groups</p> <p>Goal of completing transition and redeployment of U.S. forces shall be March 31, 2008</p>	<p>None to date</p>

Bill, Date Introduced, and Sponsor	Short Title	Key Provisions	Status/Vote
<b>S.Amdt.2193, H.R. 1585</b> Introduced: 07/13/07 Sen. Saxby Chambliss	National Defense Authorization Act for Fiscal Year 2008	<p>[Same as Amendment 2063 (Salazar, above), with the following additional provision:]</p> <p>Except in event of unforeseen circumstances or developments, President's new strategy for Iraq, announced 1/10/07, shall not be significantly altered until General Petraeus and Ambassador Crocker report to Congress on the progress of that strategy in September 2007</p>	None to date
<b>S.Amdt.2208, H.R. 1585</b> Introduced: 07/13/07 Sen. John Warner	National Defense Authorization Act for Fiscal Year 2008	<p>President, Secretaries of Defense and State, Joint Chiefs of Staff, and other senior military leaders shall consider all options, initiate planning, and present plan to Congress by October 16, 2007:</p> <ul style="list-style-type: none"> <li>— to transition U.S. combat forces from policing civil strife or sectarian violence in Iraq</li> <li>— redeploy forces</li> <li>— refocus military operations on maintaining Iraq's territorial integrity, denying international terrorists a safe haven, conducting counterterrorism operations against Al Qaeda, protecting U.S. forces and facilities, and training and equipping Iraqi forces to take responsibility for their own security;</li> <li>— address findings of Independent Assessment of the Iraqi Security Forces</li> </ul> <p>Plans should be designed to be executable beginning not later than December 31, 2007</p> <p>President should submit a revised version of P.L.107-243 (Authorization for Use of Military Force)</p> <p>Sense of Congress that U.S. Government should work with like-minded governments to establish a diplomatic forum related to Iraq that meets frequently and is open to all parties in the Middle East. In the context of a drawdown of American forces in Iraq, U.S. should attempt to secure contributions of resources or military personnel for international efforts to stabilize Iraq's borders</p>	None to date

Bill, Date Introduced, and Sponsor	Short Title	Key Provisions	Status/Vote
<b>S.Amdt.2241, H.R. 1585</b> Introduced: 07/16/07 Sen. Mitch McConnell	National Defense Authorization Act for Fiscal Year 2008	Sense of Senate that:  Senate should commit to a strategy that will not leave a failed state in Iraq  Senate should not pass legislation that will undermine military's ability to prevent a failed state in Iraq	Considered, but withdrawn: 07/17/07

## Reducing the Number of U.S. Troops in Iraq and Afghanistan

The legislation that would reduce the number of U.S. troops falls into two groups. One set of proposals calls for withdrawal of U.S. troops from Iraq starting at a specific point in time, with some bills setting either a binding deadline or a nonbinding goal for completion of the drawdown. Most of these bills exclude from the withdrawal requirement any U.S. troops assigned to certain limited missions including the defense of U.S. facilities and the conduct of targeted anti-terrorist missions of limited duration.

A second set of proposals would indirectly compel a reduction in the number of U.S. troops in Iraq by prohibiting the deployment of units that did not meet certain standards of combat-readiness, by requiring that units be deployed for no longer than the maximum length of time allowed by the policy of their parent service, and by barring the return to Iraq of units previously deployed there unless they had a minimum period of time at their home station (or "dwell time") before the second Iraq deployment. The Army is unable to sustain its current level of deployments in Iraq unless units are deployed for longer periods and/or are redeployed after shorter dwell times than Army policy dictates. Moreover, the tempo at which units have to return to Iraq has inhibited most Army brigades from meeting some of the established readiness criteria.

The first version of the emergency supplemental appropriations bill, H.R. 1591, included both types of troop reduction requirements. It required a withdrawal to proceed according to one of two alternative timetables, depending on the extent to which the Iraqi government met certain benchmarks of security and political reconciliation. It also prohibited the deployment of units that did not meet readiness standards and the deployment of any unit for longer than was called for by its parent service (365 days in the case of Army units and 210 days for Marine Corps units). An amendment to H.R. 1591 introduced by Senator Cochran that would strike the language setting a timetable for redeployment was defeated in the Senate by a vote of 82-16. The bill narrowly passed both the House and the Senate in March, but was vetoed by President Bush on May 2, 2007.

**Table 2. Legislation Regarding Reducing the Number of U.S. Forces in Iraq and Afghanistan**

Bill, Date Introduced, and Sponsor	Short Title	Key Provisions	Status/Vote
<b>H.R. 1591</b> Introduced: 03/20/07 Rep. David R. Obey (see also <b>Table 3</b> )	U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007	<p>Requires the President to report by July 1, 2007 whether the Iraqi government is making "substantial progress" toward meeting certain benchmarks of improvement in security and political reconciliation. If substantial progress is not reported, the withdrawal of U.S. troops from Iraq (except for specific, limited missions) must begin by July 1 with a goal of being completed within 180 days. If substantial progress is reported, the withdrawal must begin by Oct. 1, 2007.</p> <p>The withdrawal requirement exempts units remaining in Iraq for protection of U.S. diplomatic facilities and citizens, for customary diplomatic positions, for targeted operations of limited duration against terrorist organizations with global reach, and for training and equipping Iraqi security forces</p> <p>No funds may be used to deploy to Iraq a unit not rated "fully mission capable," to deploy any Army unit for more than 35 days, or to deploy a Marine Corps unit for more than 210 days</p> <p>The President may waive the readiness requirement and deployment time limits on grounds of national security</p>	<p>Passed House: 218-212 03/23/07</p> <p>Adopted conference report: 218-208 4/25/07</p> <p>Passed Senate: 51-47 03/29/07</p> <p>Adopted conference report: 51-46 04/26/07</p> <p>Veto Override Rejected: 222-203 05/02/07</p>

Bill, Date Introduced, and Sponsor	Short Title	Key Provisions	Status/Vote
<b>S.Amdt.643, H.R. 1591</b> Introduced: 03/26/07 Sen. Thad Cochran	U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007	Strike language that would require withdrawal of U.S. forces from Iraq on a mandatory timetable	Senate rejected: 48-50 03/27/07
<b>S.Amdt.1098 to S.Amdt.1097, H.R. 1495</b> Introduced: 05/14/07 Sen. Russell D. Feingold	Water Resources Development Act of 2007	Redeploy U.S. troops from Iraq beginning no later than 120 days after enactment  Exceptions include conducting targeted operations against Al Qaeda and other international terrorist organizations, providing security for U.S. personnel and infrastructure, and training and equipping Iraqi security forces	Motion on cloture rejected: 29-67 Amendment withdrawn 05/16/07
<b>H.R. 2237</b> Introduced: 5/29/07 Rep. James P. McGovern	To provide for the redeployment of U.S. Armed Forces and defense contractors from Iraq	Redeployment to begin no later than 90 days after enactment and be completed within 180 days  Funds may not be used to increase level of U.S. troops from that number in place as of January 1, 2007  Some exceptions for retaining limited U.S. armed forces in Iraq for diplomatic security, targeted terrorist actions, training Iraqi Security Forces, etc.  All military facilities must be turned over to Iraq government	House rejected: 171-255 05/10/07

Bill, Date Introduced, and Sponsor	Short Title	Key Provisions	Status/Vote
<b>S.Amdt.2012, H.R. 1585</b> Introduced: 07/09/07 Sen. Jim Webb	National Defense Authorization Act for Fiscal Year 2008	<p>Requires that period between deployments to Iraq (or “dwell time”) for any active component unit must be as long as the duration of the unit’s previous deployment</p> <p>Sense of Congress that the optimum dwell time between deployments for any active component unit is at least twice the duration of the previous deployment</p> <p>Requires that the dwell time between deployments to Iraq for any reserve component unit must be at least three years</p> <p>Sense of Congress that no reserve component unit should be mobilized for deployment to Iraq for longer than one year at a time or within five years of its previous mobilization. Sets out optimal periods of deployment for U.S. military troops and reservists as well as periods between deployment.</p>	Motion on cloture rejected: 56-41 Amendment withdrawn 07/11/07

Bill, Date Introduced, and Sponsor	Short Title	Key Provisions	Status/Vote
<b>S.Amdt.2058, H.R. 1585</b> Introduced: 07/10/07 Sen. Chuck Hagel	National Defense Authorization Act for Fiscal Year 2008	<p>Seek appointment of an international mediator in Iraq under auspices of the United Nations Security Council</p> <p>Begin phased redeployment no later than 120 days after enactment with goal of completion by March 31, 2008</p> <p>Exceptions for a limited number of U.S. combat forces in Iraq for protecting U.S. diplomatic facilities and citizens, serving in diplomatic positions, training and equipping ISF, engaging in targeted actions against Al Qaeda and other global terrorist organizations, and protecting territorial integrity of Iraq</p> <p>Presidential waiver - President may submit written certification to Congress setting forth detailed justification</p> <p>Presidential report required updating diplomatic and political measures undertaken, including description of progress made in transitioning the mission</p>	None to date
<b>S.Amdt.2028, H.R. 1585</b> Introduced: 07/10/07 Sen. Robert C. Byrd	National Defense Authorization Act for Fiscal Year 2008	<p>Not later than 60 days after enactment, President to submit comprehensive plan for rapid redeployment of U.S. forces from Iraq, and phased redeployment of U.S. forces from Iraq, with redeployment to be completed no later than 180 days after commencement</p>	None to date

Bill, Date Introduced, and Sponsor	Short Title	Key Provisions	Status/Vote
<b>H.R. 2956</b> Introduced: 07/10/07 Rep. Ike Skelton	Responsible Redeployment from Iraq Act	Begin reduction of U.S. forces serving in Iraq by no later than 120 days after enactment  Complete reduction to a limited presence in Iraq by no later than April 1, 2008  President to submit comprehensive strategy for Iraq to Congress by January 1, 2008 and quarterly thereafter, including number of troops deployed to Iraq and the mission for which they were deployed	House passed: 223-201 07-12-07
<b>S.Amdt.2032, H.R. 1585</b> Introduced: 7/10/07 Sen. Chuck Hagel	National Defense Authorization Act for Fiscal Year 2008	Army unit or individual may not be deployed for more than 12 consecutive months  Marines may not be deployed for more than seven consecutive months  President can waive these provisions	Senate rejected: 52-45 07/11/07
<b>S.Amdt.2078, H.R. 1585</b> Introduced: 07/11/07 Sen. Lindsey Graham	National Defense Authorization Act for Fiscal Year 2008	Sense of Congress that:  The goal for active components units should be a dwell time of no less than 12 months between deployments  For members of the reserve components, the goal should be a dwell time of no less than five years between deployments	Senate rejected: 41-55 07/11/07



Bill, Date Introduced, and Sponsor	Short Title	Key Provisions	Status/Vote
<b>S.Amdt.2171, H.R. 1585</b> Introduced: 07/12/07 Sen. Russell D. Feingold	National Defense Authorization Act for Fiscal Year 2008	<p>President shall commence redeployment of U.S. forces from Iraq no later than 120 days after enactment</p> <p>Funds may not be obligated or expended to continue the deployment after March 31, 2008</p> <p>Exceptions for limited purposes:            Conduct targeted operations against Al Qaeda and other international terrorist organizations, provide security for U.S. personnel and infrastructure, and train and equip Iraqi security services</p>	None to date
<b>S.Amdt.2263, H.R. 1585</b> (Earlier version S.Amdt.2027) Introduced: 07/16/07 Sen. Mark L. Pryor	National Defense Authorization Act for Fiscal Year 2008	Extend from 15 days to 20 days the maximum duration of post-deployment rest and recuperation leave for personnel deployed for more than one year	None to date

Bill, Date Introduced, and Sponsor	Short Title	Key Provisions	Status/Vote
<p><b>S.Amdt.2275, H.R. 1585</b> (similar versions of this amendment submitted by Sen. Levin include 2087 and 2274) Introduced S.Amdt.2274 and S.Amdt.2275: 07/17/07 Introduced S.Amdt.2087: 07/11/07 Sen. Carl Levin</p>	<p>National Defense Authorization Act for Fiscal Year 2008</p>	<p>Commence reduction of forces no later than 120 days after enactment</p> <p>Limited U.S. forces may remain in Iraq to protect U.S. personnel and infrastructure, train Iraqi Security Forces, and engage in targeted counter-terrorism activities against Al Qaeda and other international terrorist organizations</p> <p>Complete transition of U.S. forces to a limited presence by April 30, 2008</p> <p>Reduction implemented as part of a comprehensive diplomatic, political, and economic strategy including sustained engagement with Iraq's neighbors and international community</p> <p>Appoint an international mediator to Iraq under auspices of the United Nations Security Council</p>	<p>None to date on S.Amdt.2274 and 2275</p> <p>Motion on cloture rejected for S.Amdt.2087: 52-47 07/18/07</p>
<p><b>H.R. 3159</b> Introduced: 07/24/07 Rep. Ellen Tauscher</p>	<p>Ensuring Military Readiness Through Stability and Predictability Deployment Policy Act of 2007</p>	<p>Prohibits any unit of the regular Armed Forces from being deployed unless the period between the most recent previous deployment and a subsequent deployment is equal to or longer than the period of the most recent previous deployment</p> <p>Prohibits any unit of the reserves from being deployed unless the period between the most recent previous deployment and a subsequent deployment is at least three times longer than the period of the most recent previous deployment</p> <p>Provides for exceptions and presidential waivers for these deployment requirements</p>	<p>Passed House: 229/194, 3 Present 08/02/07</p>

## Iraq War Funding

The legislation in **Table 3** concerns the use of congressionally authorized and appropriated funds for the war in Iraq. The bills range from prohibiting funding for extended deployments to restricting funds being used for operations in Iran.

**Table 3. Legislation Concerning Funding of Iraq War**

Bill, Date Introduced, and Sponsor	Short Title	Key Provisions	Status/Vote
<b>S.Con.Res.20</b> Introduced: 03/15/07 Sen. Judd Gregg	Expressing the sense of Congress that no funds should be cut off or reduced for American troops in the field which would result in undermining their safety or their ability to complete their assigned mission	Sense of Congress that Congress should not take any action that would endanger American troops in the field, including eliminating or reducing funding	Passed Senate: 82-16 03/15/07
<b>H.R. 1591</b> Introduced: 03/20/07 Rep. David R. Obey (see also <b>Table 2</b> )	U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007	<p>Prohibits use of funds for deploying military units if they are not certified as fully mission capable</p> <p>Prohibits funds from being used for deployment after 210 days</p> <p>Makes funds available for immediate redeployment</p> <p>Allows presidential waiver for national security purposes</p> <p>Prohibits redeployment of Army units that have served within the past 365 days and Marines who have served within the past 210 days</p> <p>Specific benchmarks for Iraqi government that must be certified by President Bush</p>	<p>Passed House: 218-212 03/23/07</p> <p>Adopted conference report: 218-208 4/25/07</p> <p>Passed Senate: 51-47 03/29/07</p> <p>Adopted conference report: 51-46 04/26/07</p> <p>Veto Override Rejected: 222-203 05/02/07</p>

Bill, Date Introduced, and Sponsor	Short Title	Key Provisions	Status/Vote
<b>H.Amdt. 186, H.R. 1585</b> Introduced: 05/16/07 Rep. Robert E. Andrews	National Defense Authorization Act for Fiscal Year 2008	Prohibits the use of funds authorized for military operations in Iraq and Afghanistan from being used for operations in Iran	House rejected: 202-216 05/16/07
<b>H.R. 3222</b> Introduced: 07/30/07 Rep. John Murtha	Department of Defense Appropriations Act, 2008	Funds appropriated by the act shall not be used to establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq or to exercise U.S. control over Iraqi oil resources  After FY2008, any request for funds for an ongoing military operation overseas, including operations in Afghanistan and Iraq, shall be included in the annual budget of the President	Passed House: 395-13 08/05/07

## Establishing Benchmarks for the Iraqi Government

Legislation that specifically addressed the issue of the Iraqi government meeting benchmarks of improved security and political reconciliation is listed below. Several other pieces of legislation covered in the sections above entitled “Mission in Iraq” and “Redeployment” also had benchmarks as part of their criteria. The pieces below differ in that benchmarks are the centerpiece of these particular bills.

For additional information about the benchmarks, see CRS Report RS21968, *Iraq: Government Formation and Benchmarks*, by Kenneth Katzman.

**Table 4. Legislation Concerning Establishing Benchmarks for the Iraqi Government**

Bill, Date Introduced, and Sponsor	Short Title	Key Provisions	Status/Vote
<b>H.R. 2206</b> Introduced: 05/08/07 Rep. David R. Obey	U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act of 2007	<p>\$52.8 billion for U.S. military operations is available only after the President reports, by July 13, 2007, whether Iraqi government is achieving progress toward 16 benchmarks of security and political reconciliation, and after Congress approves and the President signs a joint resolution releasing the funds</p> <p>No unit may be deployed not fully mission capable (President may waive this limit)</p> <p>No Army unit may be deployed for longer than 365 days or redeployed within 365 days of a previous deployment; nor may a Marine Corps unit be deployed for longer than 270 days or redeployed within 270 days of a previous deployment (President may waive these limits)</p> <p>Sense of Congress that, as Iraqi security forces achieve proficiency in independent combat operations, U.S. forces should be withdrawn. Requires monthly reports by President on capability of Iraqi security forces.</p> <p>Requires independent, private sector assessment of Iraqi security forces</p> <p>No funds may be used for permanent stationing of U.S. forces in Iraq or to exercise control over Iraq's oil resources</p> <p>No funds may be used in contravention of U.S. laws implementing the United Nations Torture Convention</p>	Passed House: 221-205 05/10/07

Bill, Date Introduced, and Sponsor	Short Title	Key Provisions	Status/Vote
<b>S.Amdt.1134, H.R. 1495</b> Introduced: 05/15/07 Sen. John Warner	Water Resources Development Act of 2007	Requires President to withhold funding if Iraqi government fails to meet 18 benchmarks  President must submit reports assessing status of each benchmark; if unsatisfactory progress has been made, then President will outline revision of strategy	Motion to invoke cloture rejected: 52-44 05/16/07

## Authorization of Use of Military Forces

The Authorization for the Use of Military Force Against Iraq Resolution of 2002 (P.L. 107-243) was passed by Congress and signed by the President on October 16, 2002. The legislation requires the President to submit mandatory reports to Congress, but does not include a time limit on deployment of U.S. troops or criteria for deciding when to withdraw them. It appears that the legislation authorizes the President to use force as long as Iraq remains a threat to the United States and the U.S. presence does not conflict with relevant U.N. resolutions. The legislation discussed below would repeal the original authorization or require new authorization to maintain U.S. forces in Iraq. (For further background information, please see CRS Report RL33837, *Congressional Authority to Limit U.S. Military Operations in Iraq*, by Jennifer K. Elsea, Michael John Garcia, and Thomas J. Nicola.)

**Table 5. Legislation Regarding Authorization of Use of Military Forces**

<b>Bill, Date Introduced, and Sponsor</b>	<b>Short Title</b>	<b>Specific Provisions</b>	<b>Vote</b>
<b>S.Amdt.2003, H.R. 1585</b> Introduced: 07/09/07 Sen. Robert C. Byrd	National Defense Authorization Act for Fiscal Year 2008	Prohibits interpretation of Act as authorizing the President to maintain U.S. forces in Iraq	None to date
<b>S.Amdt.2146, H.R. 1585</b> Introduced: 07/12/07 Sen. Robert C. Byrd	National Defense Authorization Act for Fiscal Year 2008	Amends Authorization for Use of Military Force Against Iraq Resolution of 2002 by inserting expiration date of October 11, 2007  To conduct further military operations in Iraq that do not relate to withdrawal of U.S. forces from Iraq, President shall be required to request new authorization from Congress and to articulate in detail the mission, strategy, and goals of continued U.S. military presence in Iraq  Any funds made available for the Department of Defense are immediately available for the planning and execution of the redeployment of U.S. Armed Forces from Iraq	None to date
<b>S.Amdt.2351, H.R. 2669</b> Introduced: 07/19/07 Sen. Mitch McConnell	College Cost Reduction Act of 2007	Expressing the sense of the Senate that detainees housed at Guantanamo Bay, Cuba, including senior members of Al Qaeda, should not be released into American society, nor should they be transferred stateside into facilities in American communities and neighborhoods	Agreed to in Senate: 94-3 07/19/07

## Other Legislation Concerning Iraq War Policy

This group of legislation covers a broad range of topics ranging from the medical care and equipping of U.S. troops, to relocation of endangered Iraqi citizens, to control of Iraqi oil resources and establishment of permanent U.S. bases in Iraq.

**Table 6. Other Legislation Concerning Iraq War Policy**

Bill, Date Introduced, and Sponsor	Short Title	Key Provisions	Status/Vote
<b>S.Res.107</b> Introduced: 03/15/07 Sen. Patty Murray	Expressing the sense of the Senate that no action should be taken to undermine the safety of the Armed Forces of the United States or impact their ability to complete their assigned or future missions	<p>Sense of Senate that:</p> <p>Necessary funding will be supplied for training, equipping, and supporting U.S. troops in the field</p> <p>President and Congress should ensure adequate medical care for troops returning from Iraq</p> <p>President and Congress should ensure that U.S. troops have what they need to perform successfully in Iraq and that U.S. strategy is adjusted as necessary to ensure success in Iraq</p>	Senate passed: 96-2 03/15/07
<b>H.Amdt. 196, H.R. 1585</b> Introduced: 05/16/07 Rep. Steve King	National Defense Authorization Act for Fiscal Year 2008	The provision of the bill prohibiting establishment of permanent military bases in Iraq is not to be construed to prevent the United States from entering into a basing rights agreement with Iraq for the establishment of temporary bases	Rejected in House: 201-219 05/17/07
<b>H.Amdt. 352, H.R. 2764</b> Introduced: 06/21/07 Rep. Frank R. Wolf	Department of State, Foreign Operations, and Related Programs Appropriations Act, 2008	Amendment increases funding for assistance programs for Iraq by \$158 million	Rejected in House: 205-219 06/21/07



Bill, Date Introduced, and Sponsor	Short Title	Key Provisions	Status/Vote
<b>S.Amdt.2097, H.R. 1585</b> Introduced:07/11//07 Sen. Sherrod Brown	National Defense Authorization Act for FY 2008	<p>Secretary of Defense shall submit to Congress a report on the cost of reestablishing the readiness status of the Armed Forces to its status before the Iraq war in 2003</p> <p>Report shall be submitted no later than the date the President's budget is submitted to Congress for FY2009</p>	None to date
<b>S.Amdt.2228, H.R. 1585</b> Introduced: 07/16/07 Sen. Sam Brownback	National Defense Authorization Act for Fiscal Year 2008	Authorizes the use of funds from the Commanders' Emergency Response Program to facilitate relocation of Iraqi individuals and families who are targets of violence because they are of a sect that is a minority in the region where they currently reside	None to date
<b>S.Amdt.2242, H.R. 1585</b> Introduced: 07/16/07 Sen. Joseph R. Biden, Jr.	National Defense Authorization Act for Fiscal Year 2008	<p>Sense of the Senate that:</p> <p>President should communicate to the Iraqi people that U.S. does not seek control of Iraq's oil resources or seek permanent U.S. military bases in Iraq</p> <p>Secretary of Defense shall submit report to Congress within 90 days of enactment and semi-annually thereafter until 01/01/09, on status of U.S. military installations in Iraq</p>	None to date

Bill, Date Introduced, and Sponsor	Short Title	Key Provisions	Status/Vote
<b>S.Amdt.2311,</b> <b>H.R. 1585</b> Introduced: 07/17/07 Sen. Mary L. Landrieu	National Defense Authorization Act for Fiscal Year 2008	<p>[Primary emphasis of bill is on strengthening troops and capabilities in Afghanistan, but calls for use of U.S. forces redeploying from Iraq]</p> <p>As United States begins draw down of forces in Iraq, forces should be repositioned to Afghanistan</p> <p>Each unit of Armed Forces deployed in Operation Iraqi Freedom or Operation Enduring Freedom should be fully combat ready under established criteria before being deployed</p>	None to date

## Global War on Terror (GWOT)

The legislation in **Table 7** directly addresses the treatment of detainees and their rights under the Geneva Convention, as well as the U.S. Constitution. One amendment also proposes closing the Department of Defense's detention center at Guantanamo Bay, Cuba.

**Table 7. Legislation Concerning the Global War on Terror**

Bill, Date Introduced, and Sponsor	Short Title	Key Provisions	Status/Vote
<b>S.Amdt. 2022, H.R. 1585</b> Introduced: 07/09/07 Sen. Arlen Specter	To restore habeas corpus for those detained by the United States	Restores the right of habeas corpus for detainees	None to date
<b>S.Amdt. 2064, H.R. 1585</b> Introduced: 7/10/07 Sen. Lindsey Graham	To strike section 1023, relating to the granting of civil rights to terror suspects	Strike section 1023 of the bill, which would establish additional procedural safeguards for detainees tried by military tribunals	None to date
<b>S.Amdt. 2083, H.R. 1585</b> Introduced: 07/11/07 Sen. Christopher J. Dodd	Restoring the Constitution Act of 2007	Would establish additional procedural safeguards for detainees and would provide that the Geneva Conventions will prevail over any sections of Act that might not be consistent with obligations of United States under the Geneva Convention	None to date
<b>S.Amdt. 2125, H.R. 1585</b> Introduced: 07/11/07 Sen. Dianne Feinstein	To require the President to close the Department of Defense detention facility at Guantanamo Bay, Cuba	Requires closing of Department of Defense detention facility at Guantanamo Bay, Cuba, not later than one year after date of enactment  No detainee may be transferred to a facility located outside the continental United States  President to submit report to Congress no later than 90 days after enactment describing plans to close facility and legal justification for continuing to detain any individual under such plan	None to date

Bill, Date Introduced, and Sponsor	Short Title	Key Provisions	Status/Vote
<b>S.Amdt.2239, H.R. 1585</b> Introduced 07/16/07 Sen. Arlen Specter	To prohibit the expulsion, return, or extradition of persons by the United States to countries engaging in torture	<p>No person in the custody or control of any U.S. department, agency, officer or employee, or contractor thereof, shall be expelled, returned, or extradited to another country unless such person is being legally extradited and has recourse to a U.S. court to challenge such extradition or removal.</p> <p>Person has recourse to an appropriate U.S. district court in case of transfer from U.S. territory</p> <p>Transfer from one foreign country to another must have prior approval of the Foreign Surveillance Court</p> <p>If the legal basis for detaining person to be transferred no longer applies, person shall be released unless the attorney for the appropriate government agency first obtains a warrant from a U.S. district court authorizing continued detention</p> <p>Secretary of State shall submit to Congress on an annual basis a report listing each country where torture is known to be used</p>	None to date
<b>S.Amdt.2296, H.R. 1585</b> Introduced: 07/17/07 Sen. Christopher S. Bond	To require that a detainee is provided an unclassified summary of the classified evidence	To require that a detainee is provided an unclassified summary of the classified evidence admitted in a tribunal against the detainee	None to date
<b>S.Amdt.2297, H.R. 1585</b> Introduced: 07/17/07 Sen. Christopher S. Bond	To require that detainees are afforded a reasonable opportunity to obtain witnesses and other evidence	To require that detainees are afforded a reasonable opportunity to obtain witnesses and other evidence in a manner that is consistent with the procedures to obtain witnesses and other evidence under section 949j of title 10, United States Code	None to date
<b>S.Amdt.2351, H.R. 2669</b> Introduced: 07/19/07 Sen. Mitch McConnell	College Cost Reduction Act of 2007	Expressing the sense of the Senate that detainees housed at Guantanamo Bay, Cuba, including senior members of Al Qaeda, should not be released into American society, nor should they be transferred stateside into facilities in American communities and neighborhoods	Agreed to in Senate: 94-3 07/19/07